

**UNITED STATES BANKRUPTCY COURTS
EASTERN DISTRICT OF VIRGINIA**

PUBLIC NOTICE

**Revision to Local Bankruptcy Rules
United States Bankruptcy Court for the Eastern District of Virginia
Effective February 1, 2004**

The court has approved a revision to Local Bankruptcy Rule 1006-1(D)(2), effective February 1, 2004, which clarifies that a petition filing accompanied by an Application to Pay the Filing Fee in Installments must also be accompanied by the proper first installment payment.

Date: January 28, 2004

**WILLIAM C. REDDEN
CLERK OF COURT**

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

In re

Revision of Local Rules

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Standing Order No. 04-1

ORDER ADOPTING REVISION OF LOCAL RULES

After giving appropriate public notice and an opportunity for comment, pursuant to delegation of authority from the United States District Court, the accompanying Local Rule is hereby adopted.

This Rule shall take effect on the first day of February 2004, and shall govern procedures in all cases and proceedings pending on that date or filed after that date.

Date: January 28, 2004

/s/ Douglas O. Tice., Jr., Chief Judge

/s/ David H. Adams, Judge

/s/ Stephen S. Mitchell, Judge

/s/ Stephen C. St. John, Judge

/s/ Robert G. Mayer, Judge

Revisions
to the
Local Bankruptcy Rules

UNITED STATES BANKRUPTCY COURT
for the
EASTERN DISTRICT OF VIRGINIA



Effective February 1, 2004
(Ver. 1/28/04)

RULE 1006-1 FEES: INSTALLMENT PAYMENTS

(A)

(B)

(C)

(D) ***Failure to Payment Installment***

(1)

(2) **Dismissal of Case:** Except as provided for in LBR 1017-3, the Clerk shall issue an order of dismissal in any case where the initial payment required under FRBP 1006 and paragraph (B) of this Local Bankruptcy Rule has not ~~accompanied the filed~~ ~~been received by the next business day after the petition~~ ~~was filed~~. In any case where a subsequent installment payment has not been received by the due date, the Clerk shall issue an order of dismissal.

Comments

1006-1(D)(2) This subparagraph is amended to clarify that a petition filing accompanied by an Application to Pay the Filing Fee in Installments must also be accompanied by the proper first installment payment. [Change effective 2/1/04.]